IC20 Rec'd PCT/PT 3 MAY 2002, J

Attorney Docket No. F-6629

IN THE UNITED STATES PATENT AND TRADEMARK OFFIC

In Re Application of:

Serial No.: 10/031,112

Filed: January 11, 2002

Group Art No.: Not yet Assigned

Examiner: Not yet Assigned

For: MEDICAL SYSTEM, METHOD AND

APPARATUS EMPLOYING MEMS

Commissioner for Patents
Box PCT
U.S. Patent & Trademark Office
Washington, D.C. 20231

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Date of Deposit May 3, 2002

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NAME Jeannie Rapstad

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- 1. Copy of Notification of Missing Requirements (2 sheets);
- Transmittal Letter Form PTO-1390 (in duplicate, 4 sheets total);
- Declaration for Utility or Design Patent Application (4 sheets total);
- 4. Certificate of Mailing (1 sheet); and
- 5. Return Receipt Postcard.

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Name:

<u>Jeannie Rapstad</u>

Signed:

EL845497539US



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/031,112 William H Cork F-5629 (CORK 100 US) INTERNATIONAL APPLICATION NO. PCT/US01/21188 Gary W McFarron I.A. FILING DATE PRIORITY DATE Cook Alex McFarron Manzo 07/03/2001 07/07/2000 Cummings & Mehler 200 West Adams street, Suite 2850 **CONFIRMATION NO. 2485** Chicago, IL 60606 **371 FORMALITIES LETTER** *OC000000007733941*

Date Mailed: 04/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Request for Immediate Examination

DEGEIVED M APR 0 8 2002

COOK, ALEX, McFARRON, MANZO, CUMMINGS & MEHLER

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the res	ponse.	Baxter	CORK 100
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Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,112	PCT/US01/21188	F-5629 (CORK 100 US)

FORM PCT/DO/EO/905 (371 Formalities Notice)

FORM PT (REV. 12		MMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY 'S DOCKET NUMBER			
	· TRANSMITTAL LETTER TO THE UNITED STATES		F-5629 (CORK 100 US)			
	DESIGNATED/ELECT	TED OFFICE (DO/EO/US)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5			
CONCERNING A FILING UNDER 35 U.S.C. 371		NG UNDER 35 U.S.C. 371	10/034,112			
	RNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED			
	T/US01/21188	July 3, 2001	July 7, 2000			
		and Apparatus Employing MEMS	1			
APPLI	ICANT(S) FOR DO/EO/US Willi	iam H. Cork, et al.				
Applic	ant herewith submits to the United St	tates Designated/Elected Office (DO/EO/US)	the following items and other information:			
1.		s concerning a filing under 35 U.S.C. 371.	-			
2. 🗙		NT submission of items concerning a filing un	ander 35 U.S.C. 371.			
3.	items (3), (6), (9) and (21) indicated					
4. <u> </u>		iration of 19 months from the priority date (A	rticle 31).			
٠.١		tion as filed (35 U.S.C. 371(c)(2)) d only if not communicated by the Internation	1 D,\			
	b. has been communicated by		ial Bureau).			
		ication was filed in the United States Receivir	Off of (DO/LIG)			
6.		he International Application as filed (35 U.S.)	· ,			
- '	a. is attached hereto.	te finemational reppression as med (55 0.5.	C. 3/1(c)(2)).			
_	b. has been previously submi	itted under 35 U.S.C. 154(d)(4).				
7.		ternational Aplication under PCT Article 19 (3	35 U.S.C. 371(c)(3))			
		ed only if not communicated by the Internatio				
	b. have been communicated by the International Bureau.					
	c. have not been made; however	ver, the time limit for making such amendmen	nts has NOT expired.			
l _	d. have not been made and wi	ill not be made.				
8.	An English language translation of th	ne amendments to the claims under PCT Artic	cle 19 (35 U.S.C. 371 (c)(3)).			
9. 🛛	— United from Strong of Declaration					
10.	mailed on January 14, 2002					
Item	ns 11 to 20 below concern document	(s) or information included:				
11.	An Information Disclosure Stateme					
12.	An assignment document for record	ding. A separate cover sheet in compliance w	with 37 CFR 3.28 and 3.31 is included.			
13.						
14.	A SECOND or SUBSEQUENT pro	eliminary amendment.				
15.	A substitute specification.					
16.	A change of power of attorney and/	or address letter.				
17.	A computer-readable form of the se	equence listing in accordance with PCT Rule 1	13ter.2 and 35 U.S.C. 1.821 - 1.825.			
18.	A second copy of the published inte	ernational application under 35 U.S.C. 154(d)	(4).			
19.		age translation of the international application	, , , ,			
20. 🛛	— 516. 1 600 611100 Express Wall, Eaber 140. EE 040497 33903					
Office E	I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on May 3, 2002, and is addressed to Commissioner for Patents, Box Postal States of Postal State					
Name:	Jeannie Rapstad	Signature	Janue Ropetod			

U.S. APPLICATION NO. (if kno 10/031,112	own, sec 37 CFR 1.5)		NTERNATIONAL APPLICATION NO. PCT/US01/21188			ATTORNEY'S DO	OCKET NUMBER ORK 100 US)
21. The follow	ing fees are subm	itted:			CAI		PTO USE ONLY
	_		(1) - (5)):				· · · · · · · · · · · · · · · · · · ·
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO							
International prelir USPTO but Intern	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$890.00						
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International prelin but all claims did n	ninary examination ot satisfy provision	n fee (3 ns of PC	37 CFR 1.482) paid to US CT Article 33(1)-(4)	SPTO \$710.00			
and all claims satis	fied provisions of l	PCT A	37 CFR 1.482) paid to US rticle 33(1)-(4)	\$100.00	<u> </u>		T
			BASIC FEE AMOU		\$	1	
Surcharge of \$130.0 months from the ear	0 for furnishing th	e oath	or declaration later than e (37 CFR 1.492(e)).	X 20	\$ 13	30.00	
CLAIMS	NUMBER FILE	ED	NUMBER EXTRA	RATE	\$		
Total claims	- 20			x \$18.00	\$		
Independent claims	- 3			x \$84.00	\$		
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months from the ear	liest claimed priori	ty date			\$		
			TOTAL NATIO		\$ 1	30.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +							
TOTAL FEES ENCLOSED = \$ 0.00						0.00	
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NOTE: Where an 1.137 (a) or (b)) mu	appropriate time ist be filed and gi	limit u ranted	under 37 CFR 1.494 or 1 to restore the applicatio	.495 has not been m n to pending status.	iet, a p	etition to reviv	ve (37 CFR
SEND ALL CORRESPO Gary W. McFarron Cook, Alex, McFar Cummings & Mehl 200 West Adams & Chicago, IL 60606	ondence to: , Esq. ron, Manzo, er, Ltd. Street, Suite 2850			SIGNATU	RE V. McF	arron, Esq.	
USA Tel.: (312) 236-8500 Fax: (312) 236-8176							

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JC14 Rec'd P TO 1 4 JAN 2002

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER F-5629 (CORK 100 US)

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5 Not yet Assigned

-PCT/US01/21188

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

	TILE OF INVENTION	July 3, 2001	July 7, 2000			
-	Medical System, Method ar	nd Apparatus Employing MEN	ds .			
	APPLICANT(S) FOR DO/EO/US William H. Cork, et al.					
	Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information of the United States Designated/Elected Office (DO/EO/US) the following items and other informations and other informations are submitted in the United States Designated (Elected Office (DO/EO/US)) the following items and other informations are submitted to the United States Designated (Elected Office (DO/EO/US)) the following items and other informations are submitted to the United States Designated (Elected Office (DO/EO/US)) the following items and other informations are submitted to the United States Designated (Elected Office (DO/EO/US)) the following items and other informations are submitted to the United States Designated (Elected Office (DO/EO/US)) the following items and other informations are submitted to the United States Designated (Elected Office (DO/EO/US)) the following items and other informations are submitted to the United States (Elected Office (DO/EO/US)) the following items are submitted to the United States (Elected Office (DO/EO/US)) the following items are submitted to the United States (Elected Office (DO/EO/US)) the following items are submitted to the United States (Elected Office (DO/EO/US)) the following items are submitted to the United States (Elected Office (DO/EO/US)) the Elected Office (Elected Office (Electe					
	1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.					
	2. X This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.					
`	items (5), (6), (9) and (21) indicated below					
	5. A copy of the International Application	tion of 19 months from the prion as filed (35 U.S.C. 371(a)(2))	rity date (Article 31).			
- 1	is attached hereto (required of	only if not communicated by the	International Bureau)			
ı	- and been communicated by t	ne International Bureau.				
1	6. An English language translation of the	tion was filed in the United Sta	es Receiving Office (RO/US).			
- [6. An English language translation of the a. is attached hereto.	International Application as file	d (35 U.S.C. 371(c)(2)).			
	b. has been previously submitte	d under 35 U.S.C. 154(d)(4).				
1	Amendments to the claims of the Intern	ational Aplication under PCT A	article 19 (35 U.S.C. 371(c)(3))			
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	nave been communicated by t	he International Bureau.				
	d. have not been made; however	, the time limit for making such	amendments has NOT expired.			
	a. I have not been made and will r	ot be made.				
	- In English language translation of the a	mendments to the claims under	PCT Article 19 (35 U.S.C. 371 (c)(3)).			
I	original submission of Form PTO 1300 mailed					
1	0. An English lanugage translation of the a Article 36 (35 U.S.C. 371(c)(5)).	nnexes of the International Preli	January 11, 2002 minary Examination Report under PCT	icu		
	Items 11 to 20 below concern document(s)	or information included.				
1	1. An Information Disclosure Statement u	nder 37 CFR 1.97 and 1.98.				
12	2. An assignment document for recording	. A separate cover sheet in com	pliance with 37 CFR 3.28 and 3.31 is included			
13	3. A FIRST preliminary amendment.		phanee with 37 CFR 3.28 and 3.31 is included	d.		
14	A SECOND or SUBSEQUENT prelim	inary amendment.				
	A substitute specification.					
16	A change of power of attorney and/or ac	ldress letter.				
17	. A computer-readable form of the sequen	ce listing in accordance with PC	T Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.			
	A second copy of the published internati	onal application under 35 U.S.C	C. 154(d)(4).			
	A second copy of the English language t	ranslation of the international a	Onlication under 35 U.S.C. 154(1)(2)			
20.	other items of information: 118 Post	Office F				
Other items or information: U.S. Post Office Express Mail, Label No. EL 845498004US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Attn: Box Patent Applications, Washington, D.C. 20231.						
Na	Name: Jeannie Rapstad Signature: Range Ra					

U.S. APPLICATION	NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION PCT/I ISO1/21100	NO.		ATTOPNESSO	Dog
21. The	following fees are submi	PCT/US01/21188 ATTORNEY'S DO F-5629 (CC			CORK 100 US)	
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nor internation	Neither international preliminary examination fee (37 CFR 1.482) and International Search Report not prepared by the EPO or JPO. International preliminary examination fee (37 CFR 1.482) International preliminary examination fee (37 CFR 1.482) International preliminary examination fee (37 CFR 1.482)					
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and all claims	satisfied provisions of po	ee (37 CFR 1.482) paid to U	JSPTO	00		
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. CLAIMS	Filozof	date (37 CFR 1.492(e)).	20 30	s		
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Independent claim	- 20 =		RATE x \$18.00	\$		
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TODIN EE DEP	ENDENT CLAIM(S) (if	applicable)	x \$84.00 + \$280.00	\$		
	TOTAL	0.7	\$280.00	\$		
are reduced b	ilms small entity status.	See 37 CFR 1.27. The fees	indicated above	\$		
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	c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50/1039 . A duplicate copy of this sheet is enclosed.					
information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
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COOK, Alex, McFarro	n Manzo		SIGNATURE	127////	WW/)	
Currings & Mehler	r I fd		/		,	
200 West Adams St Chicago, IL 60606	reet, Suite 2850		NAME	/lcFarron, E	sq.	
USA			27,357			
Tel.: (312) 236-850	0	•	REGISTRATIO	MATERIA		
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FORM PTO-1390 (REV 12-2001) pag	ge 2 of 2					1

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PATENT Attorney Docket No.<u>F-5629 (CORK 100 US)</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
William H. Cork, et al.	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "Express Mail" Mailing Label No.: EL845498004US
Serial No.: Not yet Assigned	Date of Deposit <u>January 14, 2002</u> I hereby certify that this paper or fee is being the sign of the s
Filed: January 11, 2002	Addressee" service under 37 CFR 1.10 on the date indicated
Group Art No.: Not yet Assigned	Attn: Box Issue Fee, P.O. Box 2327, Arlington, VA 22202 NAME
Examiner: Not yet Assigned) SIGNATURE Garnie Rapstad
For: MEDICAL SYSTEM, METHOD AND APPARATUS EMPLOYING MEMS	

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- 1. Transmittal Form PTO/1390 (in duplicate, 4 sheets total);
- Declaration Utility or Design Patent Application
 (3 sheets);
- 3. Certificate of Mailing (1 sheet); and
- 4. Return Receipt Postcard.

Name:

Jeannie Rapstad

Signed: Jannie Rapstod

EL845498004US